

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 12-20565

v.

Honorable John Corbett O'Meara

BOBBY LEE TAYLOR,

Defendant.

**ORDER DENYING
DEFENDANT'S MOTION PURSUANT TO RULES 60(b)(3) AND (6)**

This matter came before the court on defendant Bobby Lee Taylor's September 26, 2017 Motion Pursuant to Rule 60(b)(3) and (6) for Fraud on the Court. The government filed a response October 25, 2017; and Taylor filed a reply November 21, 2017. No oral argument was heard.

Following defendant Taylor's guilty plea under a Rule 11 plea agreement, the court sentenced Taylor to a 130-month term of imprisonment and entered judgment in this case May 16, 2017. Two days later, Taylor filed Notice of Appeal, challenging his judgment, conviction and sentence. Taylor's filing of the Notice of Appeal divested this court of jurisdiction over the case and conferred jurisdiction upon the United States Court of Appeals for the Sixth Circuit. See Griggs v. Provident

Consumer Disc. Co., 459 U.S. 56, 58 (1982). Accordingly, the court does not have jurisdiction to grant Defendant's motion.

ORDER

It is hereby **ORDERED** that defendant Taylor's September 26, 2017 motion is **DENIED**.

s/John Corbett O'Meara
United States District Judge

Date: December 1, 2017

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, December 1, 2017, using the ECF system and/or ordinary mail.

s/William Barkholz
Case Manager